

Remarks

Claims 1-28 and 42-43 are currently pending in the Application, Claims 1-28 and 42-43 are herein canceled without prejudice and Claims 44-58 are newly presented herein.

Summary of specification amendments

This response amends the present specification at page 7, line 15 to page 8, line 7 by replacing the term “microchip module (MCM)” with “multichip module (MCM).”

Support for the amendments can be found, for example, on page 2, line 3 of the specification that identifies an “MCM” as a “multichip module”. No new matter has been added.

Summary of claim amendments

This response cancels Claims 1-28 and 42-43 without prejudice, expressly reserving the right to present these or any other rejected claims or claims directed to other disclosed subject matter in a future divisional or continuation application.

New Claims

This response adds new claims 44-58 to more completely claim the invention.

Support for the new Claim 44 can be found, for example, in Figure 2 and the corresponding text in the specification.

Support for the new Claim 45 can be found, for example, in Claim 11 as originally filed.

Support for the new Claim 46 can be found, for example, in Figure 2 and the corresponding text in the specification.

Support for the new Claim 47 can be found, for example, in Claim 5 as originally filed.

Support for the new Claim 48 can be found, for example, in Claim 6 as originally filed.

Support for the new Claim 49 can be found, for example, in Claim 7 as originally filed and in Figure 2 and the corresponding text in the specification.

Support for the new Claim 50 can be found, for example, in Claim 16 as originally filed.

Support for the new Claim 51 can be found, for example, in Claim 12 as originally filed.

Support for the new Claim 52 can be found, for example, in Claim 13 as originally filed.

Support for the new Claim 53 can be found, for example, in Claim 17 as originally filed.

Support for the new Claim 54 can be found, for example, in Claim 18 as originally filed.

Support for the new Claim 55 can be found, for example, in Claim 19 as originally filed.

Support for the new Claim 56 can be found, for example, in Claim 26 as originally filed.

Support for the new Claim 57 can be found, for example, in Claim 27 as originally filed.

Support for the new Claim 58 can be found, for example, in Claim 28 as originally filed.

35 U.S.C. §102(b) rejections

Claims 1-4, 7-8 and 10 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kuribayashi (U.S. Patent No. 5,802,230). Applicants respectfully submit that Claims 1-4, 7-8 and 10 have been canceled without prejudice and request that the rejection be withdrawn.

Claims 1-2, 6, 14-16 and 25 stand rejected under 35 U.S.C. §102(b) as being anticipated by Tabuchi (U.S. Patent No. 5,764,832). Applicants respectfully submit that Claims 1-2,

6, 14-16 and 25 have been canceled without prejudice and request that the rejection be withdrawn.

35 U.S.C. §103(a) rejections

Claims 5, 9, 11 and 17 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Kuribayashi. Applicants respectfully submit that Claims 5, 9, 11 and 17 have been canceled without prejudice and request that the rejection be withdrawn.

Claims 12-13, 18-24 and 26-28 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Kuribayashi and knowledge of one skilled in the art. Applicants respectfully submit that Claims 12-13, 18-24 and 26-28 have been canceled without prejudice and request that the rejection be withdrawn.

Patentability of new claims in view of the cited art

Applicants submit that Claims 44-58 are patentable in view of Kuribayashi and Tabuchi for the following reasons:

The Examiner is reminded that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co, of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that “[the] identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants submit that neither Kuribayashi nor Tabuchi teaches each and every element as set forth in the rejected claims. In particular:

Kuribayashi

Applicants submit that Kuribayashi does not disclose, suggest or teach, *inter alia*, the following features recited by new Claim 44 of the present application:

“the termination comprises a **substrate**, a device connected with the substrate, the device being selected from the group consisting of a photodetector and a laser, and at least one terminal adapted to electrically connect the microelectronic chip with the device” (emphasis added)

Because Kuribayashi does not at least disclose, suggest or teach “the termination comprises a substrate” as recited in Claim 44, Claim 44 is patentable over Kuribayashi and should be allowed by the Examiner. Claims 45-58, at least based on their dependency on Claim 44, are also believed to be patentable over Kuribayashi.

Tabuchi

Applicants submit that Tabuchi does not disclose, suggest or teach, *inter alia*, the following features recited by new Claim 44 of the present application:

“an optical fiber **contacting the termination** and optically connected with the device” (emphasis added)

Because Tabuchi does not at least disclose, suggest or teach “an optical fiber contacting the termination” as recited in Claim 44, Claim 44 is patentable over Tabuchi and should be allowed by the Examiner. Claims 45-58, at least based on their dependency on Claim 44, are also believed to be patentable over Tabuchi.

Conclusion


In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

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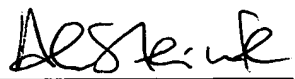
September 18, 2006
(Date of Deposit)

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